

TOWN OF NEW BALTIMORE ZONING BOARD OF APPEALS
Regular Monthly Meeting
June 7, 2017 – Page 1

The Regular Monthly Meeting was called to order at 7:49 p.m. by Chair Pat Linger followed by the Pledge of Allegiance. Other Board Members in attendance were Kingsley Greene and Jeff Carlson. Craig Albano and Michael Meredith were absent. Also present was applicant Randy Lent.

Minutes

It was moved by Linger and seconded by Greene to approve the minutes of the April 5, 2017, Regular Monthly Meeting as presented.

AYES: Linger, Greene, Carlson

NAYS: None

ABSTAINED: None

ABSENT: None

It was moved by Linger and seconded by Greene to approve the minutes of the May 3, 2017, Regular Monthly Meeting as presented.

AYES: Linger, Greene, Carlson

NAYS: None

ABSTAINED: None

ABSENT: None

Correspondence - None

Old Business

Randy Lent, Shelly West & Tammy Parker – Area Variance Application

Public Hearing on this application was held just prior to the start of this meeting.

Linger: Does anyone have any questions, concerns, anything that has not been answered with regard to the application? [There were none.] What I would like to do is to move forward on the application. Before we do the resolution, is there any concern that anyone has for any restrictions being put on a Variance to allow this to go through, on the property?

Greene: The parcel that has the trailer on it is pretty tiny. Can we talk about maybe putting a restriction on that somehow? I am not sure—as Marjorie said at the last meeting, if they replace the trailer with another trailer, that is fine. It would never get approved to put a different kind of structure on it.

Linger: Correct.

Greene: So that is already in place.

Linger: Our Town Code covers that down the road. This has its separate parcel number, its own piece of property. If someone decides they want to take the trailer off and put a three-bedroom house on it, that then has to come back again before the Planning Board as a Building Permit Application and it would have to go through that process. Whether that gets approved is irrelevant right now but there is a process in place that would capture that. I don't know that we need to restrict this. I mean that is my opinion.

Clerk: Didn't you mean that it would have to come back before the Zoning Board rather than the Planning Board?

Linger: Well, it would be a new building application so that process would have to be followed.

Clerk: Oh, you said Planning Board. Linger: Yes. It would be a new building application.

Clerk: Then it would be the Building Department.

Linger: It would have to follow the same process. Our Code would at that point kick in so I don't know that it needs to be re-stated. Are there any other concerns on it? [There were none.] I do have a resolution here.

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It was moved by Linger and seconded by Carlson to award the Variance.

AYES: Linger, Greene, Carlson

NAYS: None

ABSTAINED: None

ABSENT: None

Part 2 of the Short Environmental Assessment Form was gone through as follows:

1. Will the proposed action create a material conflict with an adopted land use plan or zoning Regulations? - ***NO/Small Impact***

Linger: It is a small impact because it already exists in my opinion.

2. Will the proposed action result in a change in the use or intensity of use of land? - ***NO***
3. Will the proposed action impair the character or quality of the existing community? - ***NO***

Linger: It has been in the existing community for many years.

4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? - ***NO***
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? - ***NO***
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? - ***NO***
7. Will the proposed action impact existing:
 - a. public/private water supplies? - ***NO***
 - b. public/private wastewater treatment utilities? - ***NO***
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? - ***NO***
9. Will the proposed action result in an adverse change to natural resources (e.g. wetlands, waterbodies, groundwater, air quality, flora and fauna)? - ***NO***
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? - ***NO***
11. Will the proposed action create a hazard to environmental resources or human health? - ***NO***

Linger: Part 3 – Determination of significance. – We had nothing that was answered moderate to large impact so we don't need to explain any of those. So we check the second box if we determine that our analysis of the above and any supporting documentation that the proposed action will not result in any significant adverse environmental impacts. That is what we are looking for.

Greene: So the ZBA is going to be the signatory on this?

Linger: Yes, we are going to be the lead agency on it. Then you will have to take this to the Planning Board and then they can go from there with what they need to do.

Resolution Granting Area Variance

WHEREAS, Randy Lent, Shelly West and Tammy Parker wishing to subdivide a two-acre parcel at 39 Hadley Drive, Hannacroix, bearing Tax Map #17.01-1-9, assigned to the house and Tax Map #17.01-1-8 assigned to the manufactured home but both on one deeded parcel, to place house and manufactured residence on separate parcels, presented Minor Subdivision Application at the April 13, 2017, Planning Board Meeting and were denied by the Planning Board because of proposed lot size of less than two acres per parcel and referred to the Zoning Board of

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Appeals; and

WHEREAS, Randy Lent, with notarized authorization from his sisters, presented the application at the May 3, 2017, meeting requesting Variance to place the house on 1.65 acres and manufactured home on .35 acres; and

WHEREAS, a Public Hearing, having been duly published in THE DAILY MAIL, was held on said application at the New Baltimore Town Hall on June 7, 2017, with members of the public offering no comment; and

WHEREAS, after discussion by the members of the Town of New Baltimore Zoning Board of Appeals at its June 7, 2017, Regular Monthly Meeting, it was

RESOLVED, that this action be granted a negative declaration for the purpose of SEQRA; and be it further

RESOLVED, that this action will more accurately document physical property conditions in existence for several decades; and be it further

RESOLVED, that the application for an Area Variance is hereby granted with no conditions.

Moved by: Linger
Seconded by: Carlson

AYES: Linger, Greene, Carlson
NAYS: None
ABSTAINED: None
ABSENT: Albano, Meredith

Being no further business,

At 8 p.m. it was moved by Linger and seconded by Carlson to adjourn the meeting.

Ayes: 3 Nays: 0 Abstained: 0 Absent: 2

Respectfully Submitted,
Marjorie Loux, Clerk